

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

THE PRUDENTIAL INSURANCE COMPANY
OF AMERICA; PRUDENTIAL BANK AND
TRUST, FSB; and THE GIBRALTAR LIFE
INSURANCE CO., LTD.,

Plaintiffs,

-against-

J.P. MORGAN SECURITIES LLC (f/k/a J.P.
MORGAN SECURITIES INC.); J.P. MORGAN
MORTGAGE ACQUISITION CORPORATION;
CHASE HOME FINANCE, LLC; J.P. MORGAN
ACCEPTANCE CORPORATION I; CHASE
MORTGAGE FINANCE CORPORATION;
CHASE FUNDING, INC.; EMC MORTGAGE
LLC (f/k/a EMC MORTGAGE CORPORATION);
MASTER FUNDING LLC; and BEAR STEARNS
ASSET BACKED SECURITIES I LLC,

Defendants.

No. 2:12-cv-03489-WHW-MCA

STIPULATION

This stipulation is entered into by and between plaintiffs The Prudential Insurance Company of America; Prudential Bank and Trust, FSB; and The Gibraltar Life Insurance Co., Ltd. ("Plaintiffs") and defendants J.P. Morgan Securities LLC (f/k/a J.P. Morgan Securities Inc.); J.P. Morgan Mortgage Acquisition Corporation; Chase Home Finance, LLC; J.P. Morgan Acceptance Corporation I; Chase Mortgage Finance Corporation; Chase Funding, Inc.; EMC Mortgage LLC (f/k/a EMC Mortgage Corporation); Master Funding LLC; and Bear Stearns Asset Backed Securities I LLC ("Defendants") (Plaintiffs and Defendants, collectively, the "Parties").

WHEREAS, Plaintiffs commenced the above-captioned action (the “Action”) on April 25, 2012 with the filing of a complaint (the “Complaint”) in New Jersey Superior Court in Essex County, New Jersey (the “State Court”).

WHEREAS, Defendants removed the Action to the United States District Court for the District of New Jersey (the “Federal Court”) on June 11, 2012;

WHEREAS, Plaintiffs filed a motion to remand the case from the Federal Court to the State Court on July 11, 2012 (the “Motion to Remand”);

WHEREAS, Plaintiffs have advised Defendants of the existence of additional claims against the Defendants, which arise from additional purchases of mortgage-backed securities by additional Prudential entities not named in the Action (the “Additional Claims”);

WHEREAS, Plaintiffs have disclosed a proposed amended complaint (the “Amended Complaint”) to Defendants, which Defendants have reviewed;

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between Plaintiffs and Defendants, through their undersigned counsel, as follows:

1. Defendants do not oppose the filing of Plaintiffs’ Amended Complaint. Defendants do, however, reserve all rights with respect to the Amended Complaint, including, but not limited to, the right to move to dismiss the Amended Complaint on the ground that claims therein are barred by the applicable statutes of limitation or repose and do not relate back to the existing claims for purposes of determining compliance with the applicable statutes of limitation or repose. Nothing in this Stipulation is intended to, nor shall, affect the timeliness of any of the claims asserted or to be asserted in this matter.

2. The filing of the Amended Complaint shall not affect the briefing schedule currently in place on the pending Motion to Remand.

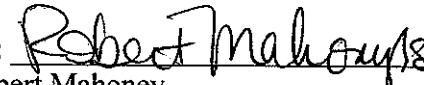
3. By entering into this Stipulation, neither party waives any rights (including Plaintiffs' objections to federal jurisdiction), and Defendants agree that the filing of the Amended Complaint shall not prejudice any of Plaintiffs' arguments on the pending Motion to Remand.

DATED: August 24, 2012

NUKK-FREEMAN & CERRA, P.C.

By: 
Robin H. Rome
636 Morris Turnpike, Suite 2F
Short Hills, NJ 07078
Telephone: (973) 564-9100
Fax: (973) 564-9112
rrome@nfclegal.com

NORRIS MCLAUGHLIN & MARCUS,
P.A.

By: 
Robert Mahoney
721 Route 202-206
Suite 200
Bridgewater, NJ 08807-5933
(908) 722-0700
rmahoney@nmmlaw.com

QUINN EMANUEL URQUHART &
SULLIVAN, LLP

Daniel L. Brockett
David D. Burnett
51 Madison Avenue, 22nd Floor
New York, New York 10010-1601
Telephone: (212) 849-7000
danbrockett@quinnemanuel.com
daveburnett@quinnemanuel.com
(admitted pro hac vice)

Richard A. Schirtzer
Jeremy D. Andersen
David C. Armillei
Jasmine M. Starr
865 South Figueroa Street, 10th Floor
Los Angeles, California 90017
Telephone: (213) 443-3000
richardschirtzer@quinnemanuel.com
jeremyandersen@quinnemanuel.com
davidarmillei@quinnemanuel.com
jasminestarr@quinnemanuel.com
(admitted pro hac vice)

*Attorneys for Plaintiffs The Prudential
Insurance Company of America, Prudential
Bank and Trust, FSB, and The Gibraltar
Life Insurance Co., Ltd.*

CRAVATH, SWAINE & MOORE LLP

Daniel Slifkin
J. Wesley Earnhardt (*admitted pro hac
vice*)
Members of the Firm
Worldwide Plaza
825 Eighth Avenue
New York, NY 10019
(212) 474-1000
dslifkin@cravath.com
wearhardt@cravath.com

*Attorneys for Defendants J.P. Morgan
Securities LLC (f/k/a JPMorgan Securities
Inc.), J.P. Morgan Mortgage Acquisition
Corporation, J.P. Morgan Acceptance
Corporation I, Chase Mortgage Finance
Corp., Chase Funding, Inc., EMC
Mortgage LLC (f/k/a EMC Mortgage
Corporation), Bear Stearns Asset Backed
Securities I LLC, J.P. Morgan Chase Bank,
N.A. as successor by merger to Chase
Home Finance, LLC*

SO ORDERED:

Dated:

The Honorable Madeline Cox Arleo
United States Magistrate Judge